

M I N U T E S

SPECIAL COMMITTEE ON CORRECTIONS

May 31, 1977
Room 514-S, State House

Members Present

Representative Patrick Hurley, Chairman
Senator Paul Hess, Vice-Chairman
Senator Jim Parrish
- Senator Wint Winter
Representative Arthur Douville
Representative Phil Martin
Representative Jack Rodrock

Advisory Committee Present

William Arnold
Judge Michael Barbara
Sister Delores Brinkel
Bill Larson
Perry Proffitt

Staff Present

J. Russell Mills, Jr., Kansas Legislative Research Department
Marlin Rein, Kansas Legislative Research Department
Louis Chabira, Kansas Legislative Research Department
James A. Wilson, Revisor of Statutes' Office

Conferees Present

Hugh J. Swink, Touche Ross and Company, Kansas City, Missouri

May 31, 1977
Morning Session

Chairman Hurley called the meeting to order and made a few introductory remarks. He noted that a seven-member lay advisory committee had been appointed to assist the Special Committee, although the lay members would not be voting members. Representative Hurley urged the advisory committee members to participate fully in the discussion and deliberation during the course of the study. He stated that the Committee had been charged, under Proposal No. 14, to conduct a study of the state's correctional programs and facilities, including the feasibility of starting community-based programs or developing new physical facilities, such as the proposed medium security prison. Representative Hurley suggested that the Committee conduct a broadly-based study, considering all the alternatives, so that in-depth recommendations may be made at the conclusion of the study.

Russell Mills, Kansas Legislative Research Department, briefly discussed a staff memorandum, "Proposed Outline of Correctional Programs and Facilities Study," which had been prepared as a guide for Committee activity during the interim (Attachment I). Mr. Mills stated that the outline was intended only as a guide and that new subject areas for study could be added if necessary, within the scope of the Committee's charge.

Jim Wilson, Revisor of Statutes' Office, presented a brief discussion of 1973 S.B. 72, the so-called "Penal Reform Act." He also discussed the current organizational structure of the Kansas Department of Corrections and distributed an organization chart (Attachment II). Mr. Wilson stated that he would prepare a detailed summary of these statutes, as amended, for consideration at a later meeting. He also discussed sentencing alternatives presently available to Kansas courts, (Attachment III).

Judge Barbara noted that a court could require restitution in corrective work projects as an alternative to incarceration for some crimes, with the exception of certain crimes committed with a firearm.

Mr. Mills reviewed the existing corrections institutions in Kansas and discussed a memorandum which indicates the average inmate population at the institutions for the period 1964-1977 (Attachment IV). Mr. Mills stated that the following inmate capacities were indicated by the Eight-Year Master Plan, the Project Development Plan - 77, or the Department of Corrections: Kansas State Penitentiary, 778; Kansas State Industrial Reformatory, 692; Kansas Correctional Institution for Women, 100; Kansas Reception and Diagnostic Center, 100; Kansas Correctional-Vocational Training Center, 180; and Toronto Honor Camp, 51. Mr. Mills also discussed the Kansas Adult Authority and the Citizens' Advisory Board to the Secretary of Corrections.

Committee discussion centered on the various custody levels: minimum, medium, and maximum. It was noted that these levels are not defined by statute but are established by the corrections administration. Several members felt that one task of the Committee will be to determine why the average inmate population at Kansas State Penitentiary has declined from 1,802 in FY 1964 to 931 on May 20, 1977. Mr. Mills also discussed a letter from the Department of Corrections which indicates the number of inmates in the various institutions as of May 20, 1976, and May 20, 1977. According to these figures, the total inmate population increased by 335 persons over the one-year period (Attachment V).

Marlin Rein, Kansas Legislative Research Department, discussed recent actions of the state with regard to budget requests and appropriations for the Department of Corrections. He noted that the 1975 Legislature allocated \$20,000 of state funds, along with \$180,000 of federal funds, for a facility, management, and program study of the Department. The result of this study was the Eight-Year Master Plan (commonly known as the Touche Ross report).

Mr. Rein also discussed Governor Bennett's message to the Legislature of March 16, 1976 (Attachment VI). In this message, the sum of \$92,000 was requested to develop a plan for a long-range building program for the Department, along with various other recommendations. The result of this appropriation was the Project Development Plan-77 (commonly known as the Schaefer report).

Mr. Rein also discussed two documents prepared by staff: "History of Recent Budget Recommendations and Appropriations" (Attachment VII) and "Governor's Amendments to Correctional Budgets" (Attachment VIII). It was noted that, during the 1977 Session, the Governor recommended \$520,000 for planning for a new 400-bed medium security institution at Osawatomie and \$133,000 for planning a new 100-bed minimum security facility at KSIR. These recommendations were not funded. In response to a question, Mr. Rein stated that the Governor had also recommended a significant expansion of parole staff through the use of LEAA funds.

Senator Hess directed the staff to prepare cost comparison data for incarceration and administering a parole program. Mr. Rein noted that the total costs forecast in the Touche Ross report were \$82 million for the primary plan, \$48 million for secondary plan A, and \$25 million for secondary plan B.

Mr. Rein discussed the staff summary entitled "A Summary of the Department of Corrections Eight-Year Master Plan" (Attachment IX). The Committee considered this summary at some length and discussed specific recommendations made in the Eight-Year Master Plan. Much discussion focused on the cost estimates of the Master Plan and the comparable figures developed in the Project Development Plan-77, which was also reviewed by the Committee.

Afternoon Session

Mr. Hugh J. Swink, Touche Ross and Company, addressed the Committee and outlined the manner in which the company prepared the Eight-Year Master Plan. He noted that the plan was developed by six Touche Ross Consultants, two individuals formerly associated with the Federal Bureau of Prisons, and the architectural firm of Giffels Associates, Inc. He felt that the group approached the project with no biases in their attempt to develop a reasonable, integrated plan for the Kansas corrections system. He stated that the plan was intended to follow the thrust of S.B. 72 by emphasizing a proper corrections environment and, hopefully, rehabilitation. Mr. Swink noted that corrections experts are still seeking answers to determine the best corrections environment.

The primary plan would limit the population at the Kansas State Penitentiary (KSP) to 450; secondary plan A to 600; and secondary plan B to 700. Mr. Swink stated that some states (Alabama, Louisiana, Oklahoma, and others) have been told by the courts that inmate populations must be reduced.

Senator Hess inquired whether the project staffers might have been biased toward a "bricks and mortar" approach to corrections. Mr. Swink felt that they were not completely biased, although no members of the staff were heavily oriented toward parole, community corrections, or other alternatives to new construction. Mr. Swink stressed that the plan made various recommendations concerning organization, personnel, management information, offender programming, and field services, in addition to the facilities recommendations. He also discussed similar master plans which Touche Ross has done for Colorado and Nebraska. During the Colorado study, staff of John Howard Associates, a community/parole-oriented group, were added to the consulting group. Mr. Swink stated that there will continually be a need to physically separate some people from the rest of society.

In response to questions, Mr. Swink stated that Touche Ross worked under a contract with the Department of Corrections; that the Department did not dictate the conclusions or recommendations of the report; that the report did not encompass the role of the Courts in corrections; and that parole is cheaper than incarceration, however there are other considerations besides cost. Mr. Swink also noted that the plan recommends that the Department contract with sheriffs and others for work release programs and halfway-houses in order to keep offenders in their communities.

Senator Hess noted that, as of May 20, 1977, there were 2,236 inmates in Kansas institutions, while the plan projected an inmate population in the 2,000-2,200 range not until the 1980's. He inquired whether the Kansas Legislature could make an informed decision on construction projects given this population discrepancy. Mr. Swink replied that many of the factors which impact upon inmate population cannot be predicted and that all inmate population forecasts are only estimates. However, Mr. Swink felt that the population discrepancy did not invalidate the bulk of the plan since it was designed to be flexible enough to accommodate population increases. He noted that inmate populations are influenced by legislative action, the courts, and parole policies.

Mr. Swink stated that over 250 people were interviewed during the project and that the plan was not developed to meet the expectations or desires of the Department of Corrections. He also expressed the opinion that no person can be coerced to be rehabilitated. In response to various questions, Mr. Swink stated that the plan envisions an increase in the number of inmates on work release; that he was not familiar with the Schaefer report; that most existing structures cannot be converted into medium or maximum security facilities; and that only 20 percent of the plan deals with facilities while 80 percent of the recommendations touch upon programs, operations, and management. He stated that stop gap measures can be used to control inmate population, such as increased parole use, probation, use of local jails, placing two inmates in one cell, etc.

Senator Winter noted that population estimates contain many variables and that the report can still be used as a tool to analyze and make recommendations concerning the corrections system. He stated that the population could be reduced by increased parole, more work release centers and honor camps, and greater use of probation.

Chairman Hurley stated that the next meeting would be held on June 13-14 for the purpose of reviewing the Schaefer report and touring KSP, KCIW, KRDC, and KCVTC. The July 5-6 meeting will be devoted to a presentation by the Department of Corrections.

The meeting was adjourned.

Prepared by J. Russell Mills, Jr.

Approved by Committee on:

7-13-77

MEMORANDUM

May 25, 1977

TO: Special Committee on Corrections
FROM: Kansas Legislative Research Department
RE: Proposed Outline of Correctional Programs and Facilities Study

- I. Review Penal Reform Act of 1973 (S.B. 72, now K.S.A. 1976 Supp. 75-5201 et seq.)
 - A. Reorganization of Department of Corrections
 - B. Implications on existing institutional programs and facilities
 - C. Present sentencing alternatives

II. Review Existing Correctional Facilities

- A. Kansas State Penitentiary (KSP); built in 1864; average FY 76 population of 706 men.
- B. Kansas State Industrial Reformatory (KSIR); built in 1895; average FY 76 population of 698 men.
- C. Kansas Correctional Institution for Women (KCIW); built in 1917; average FY population of 79 women.
- D. Kansas Reception and Diagnostic Center (KRDC); opened in 1961; average FY 76 population of 118 men.
- E. Kansas Correctional-Vocational Training Center (KCVTC); opened in 1975; average FY 76 population of 135 male offenders.
- F. Honor Camp; average FY 76 population of 51 males.
- G. Work Release Centers (Topeka, Wichita); average FY 76 population of 135.

III. History of Correctional System Improvements and Activities

- A. 1975 Session appropriations.
- B. Department of Corrections Eight-Year Master Plan (Touche Ross report).
- C. 1976 Session appropriations.
- D. Report of the Site Selection Committee.
- E. Project Development Plan-77 (Schaefer report).
- F. Governor's budget recommendation for FY 1978 - capital construction.

IV. Review and Analysis of Existing Correctional Programs

- A. Adequacy of programs and facilities, with attention to recent judicial decisions concerning inmate rights.

IV. Review and Analysis of Existing Correctional Programs (cont'd.)

B. Programming

1. Institutional
2. Honor camp
3. Work Release
4. Other

C. Probation and Parole

1. Kansas Adult Authority
2. Secretary of Corrections
3. Court system

D. Inmate Population

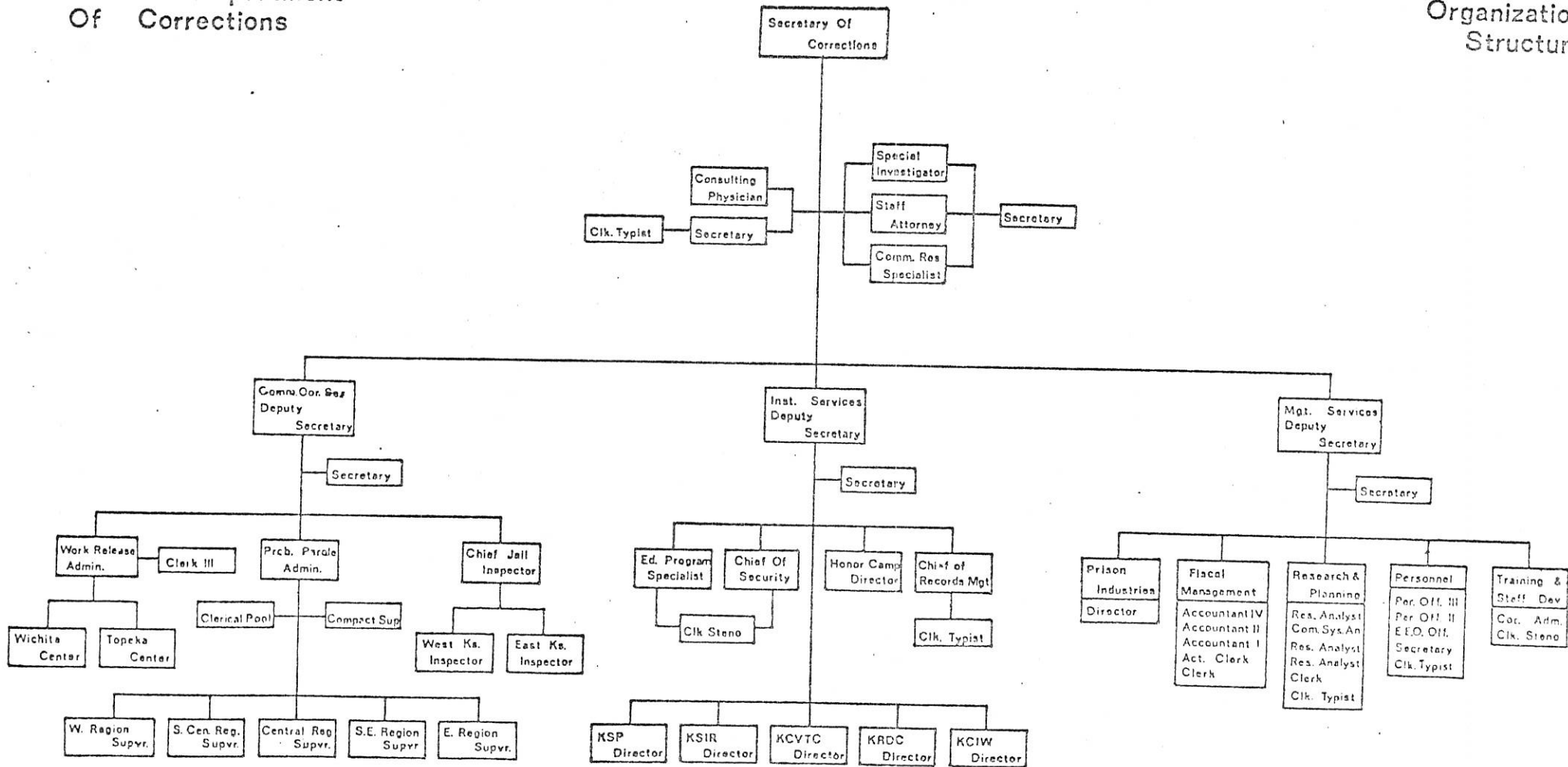
1. Size
2. Profile of population
3. Classes of offenders
4. Recidivism rates
5. Trends

V. Review Correctional System Innovations and Existing Options

- A. State vs. Regional Institutions (Maryland).
- B. Community-based programs (Minnesota).
- C. New facility construction (medium security prison)
(Nebraska, Oklahoma).
- D. Upgrading existing correctional facilities.
- E. Alternate use of existing state facilities.
- F. Other community programs (Colorado, Texas, Iowa).
- G. Federal standards and programs.

Kansas Department
Of Corrections

Organization
Structure



SENTENCING ALTERNATIVES

Misdemeanor Convictions

1. Fine--up to \$2,500
2. Probation
3. Suspend sentence
4. Confinement in county jail for up to one year*

* 1977 SB 166 authorizes confine of female misdemeanants in KCIW as alternative to county jail

Felony Convictions

1. Fine--up to \$10,000
2. Probation
3. Suspend sentence
4. Confinement--commit to custody of secretary of corrections for up to life

Kansas Legislative Research Department

May 27, 1977

AVERAGE INMATE POPULATION AT
KANSAS CORRECTIONS INSTITUTIONS,
1964-1977

<u>FY</u>	<u>KSP</u>	<u>KCIW</u>	<u>KSIR</u>	<u>KRDC</u>	<u>KCVTC</u>	<u>Honor Camps</u>
1964	1,802	83	873	101	--	*
1965	1,726	96	894	101	--	*
1966	1,700	100	900	125	--	*
1967	1,526	70	725	85	--	72
1968	1,458	64	616	101	--	58
1969	1,434	69	584	99	--	66
1970	1,269	63	554	100	--	69
1971	1,120	55	630	102	--	77
1972	968	67	666	116	--	74
1973	862	57	561	111	--	73
1974	667	50	514	111	--	73
1975	636	75	598	121	28	52
1976	706	79	698	118	135	51
1977**	931	86	867	119	162	49

* Carried as part of KSIR population.

** Headcount as of May 20, 1977

SOURCE: Kansas Biennial Reports for 1970, 1972, 1974, and 1976; Governor's Budget Report for various years; information supplied by the Department of Corrections.

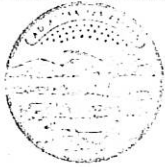
Department of Corrections

State of Kansas

ROBERT R. RAINES, Secretary

Attachment V

913-236-3317



KPL Tower Building
818 Kansas Avenue—Suite 500
Topeka, Kansas 66612

May 25, 1977

Mr. Russell Mills
Legislative Research Division
5th Floor, Statehouse
Topeka, Kansas 66612

RE: Population Data Requested

Dear Mr. Mills:

As per our telephone conversation of May 23, 1977 the following information is the inmate population by institution on a given day for Fiscal Year 1977 and the same day (one year prior) for Fiscal Year 1976.

<u>Institutions or Programs</u>	<u>May 20</u> <u>1977</u>	<u>May 20</u> <u>1976</u>	<u>Increase</u> <u>or</u> <u>Decrease</u>
Kansas State Penitentiary	931	765	166
Kansas State Industrial Reformatory	867	733	134
Kansas Correctional Institution for Women	86	88	(2)
Kansas Correctional Vocational Training Center	162	120	42
Kansas Reception and Diagnostic Center	119	129	(10)
Toronto Honor Camp	49	50	(1)
Wichita Work Release Center	22	16	6
TOTAL	2236	1901	335

Sincerely,

R. R. RAINES
Secretary of Corrections

Richard L. Davis

By: RICHARD L. DAVIS
Director, Fiscal Management

RLD/16

Atch. V

State of Kansas
OFFICE OF THE GOVERNOR

March 16, 1976

A MESSAGE TO THE KANSAS LEGISLATURE FROM
GOVERNOR ROBERT F. BENNETT

A PLAN FOR OUR CORRECTIONAL INSTITUTIONS

Mr. Speaker, Mr. President, members of the Senate and the House of Representatives of the State of Kansas: In the second part of my budget message presented on January 19th, I made note of the fact that we had then just received the consultants' study of our penal system and that a more thorough consideration would be necessary before specific recommendations could be made in this record. This consideration now has been completed. Notwithstanding the lateness of this hour I feel it is incumbent upon me to make some recommendation which can be implemented immediately, to lay the groundwork for decisions that must be made by this Legislature early in 1977.

It will come as no surprise to any of you that continued stress and strain is being placed on each of our penal institutions. If we are to avoid an Attica here in Kansas action must be commenced now to address the problems of current and prospective overcrowding and of providing safe, sanitary and adequate, though not luxurious, facilities for the incarceration and, where possible, for the rehabilitation of the offenders of the laws of our society.

Recent statistics clearly prove that with more adequate law enforcement our prison populations are growing. Our courts have commenced to move away from the so-called bench probation and parole, indicating a belief that a more hard line will constitute a deterrent to crime in future years. This Legislature, by its consideration of numerous bills on mandatory minimum sentences, has indicated clearly its concern that an era of permissiveness must end. The attitude of the courts and this Legislature represents not only a concern with the safety of the person and the property of the private citizen, but also a belief that appropriate punishment by incarceration does offer a workable combination of deterrent and rehabilitation.

Each of you recognize, I am sure, that it is not enough for courts to increase their sentences and limit their paroles, nor is it enough for the Legislature to approve mandatory minimum sentences for specific crimes. The state must be in a position to handle the increased number of persons who are and will by law be confined in our penal institutions.

The experience in other states clearly indicates that this is a problem on which the Kansas government cannot turn its back. Even though in the minds of some persons the adequacy of our correctional institutions may be of low priority, adequate facilities must be provided if we are to continue our war on crime and if we are to continue to use our prisons as places both for punishment and for rehabilitation.

In approaching this problem we must consider not only the adequacy and inadequacy of our current facilities but also the potential demands against those facilities as our prison count continues to grow. We must consider the abundance of federal court decisions, over which we have no control, which place expensive restrictions and limitations on prison operations and we must consider that even though an inmate, the criminal is entitled to safe and sanitary incarceration with an opportunity for rehabilitation if the individual will is there to accomplish that goal.

I am not one who believes that every criminal can or will be rehabilitated, nor that the state has an obligation to rehabilitate the incorrigible. I do believe, however, that for many who must serve their penal sentence, there is the opportunity through rehabilitation efforts to dissuade them from a life of crime, to make them productive citizens, and in the process, to conserve state resources which would otherwise be expended in their periodic reincarceration.

The "eight year plan" recommended by Touche, Ross and Company calls attention to many of our inadequacies and highlights those things which in the opinion of the consultants would be advantageous for the state to adopt. Like any recommendation, however, it serves as a focal point for executive and legislative deliberation on what should in fact occur. With that study complete it is now time to commence the long process which should bring solution to this problem.

It is impossible in this legislative session to fully consider and implement any long range program for the modification and improvement of our penal facilities. Steps can be taken now, however, to lay the foundation for action and attention in the 1977 legislative session. I am therefore making the following

1. That of the \$600,000 reserved in my original budget recommendation to this Legislature, the sum of \$407,802 be appropriated for improved administrative personnel, program and medical services, all as set forth in the detailed supplement which is attached hereto. The remainder of the amount reserved, or \$132,198, should be allocated to the interim capital improvement projects recommended in this message.

2. Since it is essential that we move with as much dispatch as possible to consider and prepare for submission to the 1977 legislative session of a detailed and long range program, together with the estimated cost thereof, I am recommending that a supplemental appropriation of \$92,000 be made to the Secretary of Corrections for calendar year 1976 to develop this program.

3. I envision that in this initial programming the following projects will be included with a plan for their early but phased-in construction over the next succeeding eight fiscal years:

(a) A medium security institution planned for the ultimate capacity of 400 beds with the initial construction of sufficient size to house 200 inmates.

(b) An outside dormitory at Kansas State Industrial Reformatory planned to house 100 inmates.

(c) An outside dormitory for Kansas State Penitentiary planned to house 100 inmates.

(d) An additional housing unit at Kansas Reception and Diagnostic Center planned to house 125 inmates.

(e) A new administration building at Kansas State Penitentiary.

(f) A plan for the renovation of cellhouse facilities at Kansas State Penitentiary and Kansas State Industrial Reformatory with the renovation to commence upon the completion of the two outside dormitories referred to above and be accelerated upon the completion of the first phase of the medium security facility.

After this initial programming has been completed it will be resubmitted to the 1977 session of the Legislature together with recommendations for scheduling and funding so that the Legislature can determine its own priorities of construction and consider the various options for fiscal support.

4. In the interim several critical situations exist which can be remedied without adversely affecting the long-range program to be developed. I am recommending that the Legislature appropriate \$573,000 for the following items of construction and renovation which are urgently needed:

(a) An infirmary at Kansas State Penitentiary which will qualify for current statutory certification requirements—\$300,000.

(b) An honor camp warehouse at the Toronto Honor Camp which will provide on-site storage of materials now required to be transported from Topeka—\$28,000.

(c) The renovation of the commissary and library at Kansas State Industrial Reformatory to more adequately meet current needs—\$13,000.

(d) The renovation of maximum custody facilities at Kansas State Industrial Reformatory which are now inadequate and are immediately required—\$151,000.

(e) The renovation of the infirmary at Kansas State Industrial Reformatory which is currently inadequate for its assigned task—\$41,000.

(f) The renovation of the visiting room at Kansas State Penitentiary which is not adequate to accommodate authorized visitors without posing near insurmountable security problems—\$40,000.

TOTAL—\$573,000.

5. I am withdrawing my recommendation of \$505,000 for capital improvements to develop a bus renovation program, feeling that the improvements recommended above are more urgently necessary at this time.

6. As a condition precedent to the construction of a medium security facility a site must be selected. I am asking the Legislature to appoint a select interim committee to work with the Secretary of Corrections and the Secretary of Administration in developing options which may be considered in the recommendations to be made to the 1977 Legislature for the location of this facility.

7. It is impossible at this time, without the development of the programming requested in this message, to say with any degree of certainty what the eight-year cost of construction and renovation of our correctional institutions might be. The consultants, in their study, recommended a program with a total cost of approximately \$81 million. They recommended a second plan with a

Attachment III

Atch. II

projected potential cost in excess of \$48 million. In my opinion both of these proposals are beyond the fiscal capabilities of the state and beyond both immediate and reasonably projected long-range needs. It is well to be aware, however, that even though these recommendations substantially scale down those suggestions made by the consultants, there still is certain to be considerable cost in the construction and renovation which is required to adequately meet our minimum penal needs. In my original budget message I suggested that a portion of the cost of these improvements may be funded from federal revenue sharing, if that sharing is continued. As of this date, however, we have no assurance as to the availability of these funds.

Whether or not revenue sharing becomes available, some additional funding will be required to support this program.

At present our state operates an institutional building fund for the support of capital improvements in our mental and juvenile institutions. Current and projected needs both for construction and repair indicate that all the money raised by this levy will not be needed, on an ongoing basis, for these types of institutions.

I recommend that the Legislature amend the statutes which create a .5 mill levy for our institutional building fund and, for one year, reduce that levy by half to .25 mills. At the same time I recommend legislation that would allow the other .25 mills to be used for funding of projected improvements in our penal system.

As of this date this recommendation would have no adverse effect on the limited number of capital improvements and repairs which are necessary at our various mental health institutions, nor would this recommendation in any way increase the burden of the property taxpayer. Under this proposal, however, it would be necessary for the Legislature each year to review both the capital improvement needs at our mental institutions and also the capital improvement needs at our penal institutions and to make a determination as to what adjustment should be made within this .5 mill levy. It is estimated that the adjustment in levy purposes recommended in this message would provide approximately \$1 million in fiscal year 1977 and approximately \$1 million in fiscal year 1978. These funds could be used for construction and major renovation. Under this recommendation the needs of our mental and juvenile institutions still would have priority for the use of the .5 mill levy. Yet the Legislature would have flexibility so that in those years when the entire levy was not needed for this purpose, the difference could go to improvements in our penal system. The balance of the funding would come either from federal revenue sharing if it is continued or from general funds.

The needs which we have in the penal system are both urgent and demanding. If it appears that accelerated construction can commence after the programming has been completed, I will make recommendations for supplemental appropriations to the 1977 Legislature. I feel that we must move with all deliberate speed to protect the citizens of Kansas and their property both from felons now at large and from those who might be prematurely released, as has occurred in some states, because of inadequate prison facilities. I have instructed the Secretary of Corrections to commence immediately preparation of an interim plan for temporary housing of a limited number of prisoners if our prison population should be precipitously increased prior to the availability of any of the facilities recommended in this message.

The improvement of our corrections system has been long studied and discussed. The time for action is now. Your urgent consideration of these limited recommendations will be sincerely appreciated, for I honestly feel that we can no longer delay in solving this fundamental problem of state government.

ROBERT F. BENNETT, Governor.

DETAILED SUMMARY OF RECOMMENDATIONS

Operations

Effective achievement of my recommendations or, for that matter, current program objectives is contingent upon the leadership within and organizational ability of the Department of Corrections. The Department must have an adequate number of qualified management and specialized personnel so that

current problems can be accurately recognized and improvement initiated and so future problem areas may be anticipated and the seriousness of the problem lessened.

The first step toward the development of such an organization is the development of a strong, qualified central management staff. To provide for such a staff, I am recommending that the Department of Corrections central office be reorganized into three primary service areas and that three Deputy Secretary positions be established in the unclassified service to head each of the divisions. As recommended, the Department of Corrections would be organized with a Division of Field Services, Division of Management Services, and the Division of Institutional Services. All departmental and institutional operations will exist as subdivisions of the three major divisions, either as a line responsibility of one of the Deputy Secretaries or as a staff function responsible to the Secretary of Corrections. In conjunction with the creation of the three Deputy Secretary positions, I am recommending that the position of Director of Probation and Parole be abolished as currently established. With the creation of a Deputy Secretary of Field Services, the Director of Probation and Parole position will be modified to function as the supervisor of a Probation and Parole Subdivision within the Field Services Division. I am recommending that the unclassified position of Deputy Secretary of Corrections be established at an annual salary range of \$22,800 to \$29,000.

In addition, I am recommending that an additional Administrative Officer II position be established to supervise a subdivision of classification and records and that an additional Accountant II, to staff better the central fiscal office, and a Personnel Officer I, to fulfill EEOC requirements for the Department, be established. I am recommending two additional Clerk III positions: one to assist in the training function and one to support the Program Specialist. One additional Secretary I is recommended to provide secretarial support for the Deputy Secretary of Management Services. Existing personnel will be reallocated to newly defined operational subdivisions. Most of the functions to be established as subdivisions exist within current operations but are not considered specialized areas and, therefore, are not receiving the management attention required. To implement this reorganization, I am recommending the addition of \$129,720 for salaries and wages and a related increase in the position limitation for the Department of Corrections in FY 1977.

In conjunction with these positions, I am recommending \$25,425 to provide for operating expenses and the purchase of capital outlay items necessary with the addition of the recommended positions.

Two areas to receive immediate attention upon reorganization and staffing are personnel related functions, including employee scheduling, and employee training. As mentioned in the program information of my 1977 Governor's Budget Report, these areas currently represent operational problems within the correctional institutions and deserve review and attention. Correctional personnel need training and training needs to be provided not only for correctional officers, but also for other specialized employees within the institutions. As the training programs are currently established, necessary training often is not received at the proper time resulting in much of the training being ineffective. Failure to provide proper training only serves to reduce the confidence of the employee in the job, further increasing turnover which creates additional scheduling problems. I am recommending that \$40,000 be allocated for FY 1977 to provide for the contracting of professional services to assist the commended training officer and the Deputy Secretary of Management Services with the development of an effective manageable training program for the correctional institutions. These funds will be used to review the existing 160 hour correctional officer training program for modification and possible expansion, looking particularly to the area of human relations; the scheduling of training so as to be most functionally and economically absorbed into the operations of the institutions and for development of training materials specifically designed for correctional personnel. Additionally, specific training for supervisory and unit team personnel will be developed.

To assist the Deputy Secretaries and the personnel staff with a complete review of personnel related functions, I am recommending an additional \$50,000

for professional services in FY 1977. Review will include analysis of jobs being performed within the institutions, the requirements necessary to accomplish properly the jobs and development of a salary/benefit program sufficient to maintain qualified persons in the jobs. This review will take into account and consider the personnel and jobs within the Kansas Department of Corrections in relationship to the salary structure and positions within the civil service of the State of Kansas as well as considering the requirements, functions and salary structures of comparable organizations and jobs in the labor market.

Recruitment and affirmative action programs are not receiving sufficient emphasis due to program fragmentation and inadequate central staff follow-up. To further affirmative action within the Department of Corrections, I am recommending that \$8,600 be provided to assist in the recruiting of additional qualified minority employees. If affirmative action is to work, a specific effort must be made in this area and I am recommending this funding to assure that such an effort is made.

My original recommendation was to include \$66,000 to establish first day coverage in the Kansas Public Employees Retirement System for security staff and a selected group of other employees whose duties involve inmate contract and risk similar to those of the security staff. In view of the Legislature's action concerning first day coverage for all employees in the Kansas Public Employees Retirement System, I have removed this item from my recommendation at this time, but wish to note such item as a possible incentive to recruitment and retention of better qualified employees.

My recommended budget placed significant emphasis on offender programming; however, there are two additional recommendations which I feel worthy of implementation in FY 1977. The unit team exists as the primary counseling and evaluation function within the correctional institution. Unit team effectiveness, however, is being diminished by the high inmate/staff ratio. My recommended budget contained five additional grant supported counselor positions for the Kansas State Penitentiary. These positions were established on a trial basis to better prepare the unit team to deal with some of the more complex inmate problems. I am now convinced that similar upgrading should be initiated for the unit teams at the Kansas State Industrial Reformatory and I am recommending \$76,111 to establish seven Counselor positions at the institution.

The second program area concerns vocational training. Although my recommended budget includes significant vocational training, the programs recommended are 50 percent supported by federal Comprehensive Employment Training Act Funds. For an inmate to qualify for training under these programs, certain release date prerequisites must be met which remove many inmates from eligibility. To provide vocational training for inmates ineligible under the CETA program, I am recommending \$40,000 for establishment of two wholly state funded programs. One program will be established at the Kansas State Penitentiary and one program at the Kansas State Industrial Reformatory. The vocational areas for these programs will be selected after a complete review of institutional and labor market needs. In addition, to improve the vocational instruction that inmates assigned to institutional work details receive, I am recommending that institutional personnel supervising inmate crews become certified vocational instructors. As a result of this initiative, the inmate can realize an improved training situation and the institution a better trained work force. I am recommending \$6,000 to provide for the licensing of the supervisory personnel within the institutions as vocational instructors.

Medical services at the correctional institutions represent a major institutional responsibility. If we are to operate medical facilities on a 24-hour basis, we must assure that qualified personnel are on duty 24-hour to provide necessary services. Currently, the Kansas State Industrial Reformatory and the Kansas Correctional Institution for Women do not have sufficient qualified staff to provide 24-hour hospital coverage. I am recommending \$22,764 to provide two additional Graduate Nurses at the Industrial Reformatory and \$11,382 for one additional Graduate Nurse at the Correctional Institution for Women to permit such staffing.

Due to the increasing number of persons entering the system and the cost of medical and laboratory services, I am recommending an additional \$57,000 for professional and laboratory medical fees in FY 1977. Of the \$57,000, \$30,000 will be allocated to the Kansas Reception and Diagnostic Center for male offenders entering the system and \$7,000 will be allocated to the Kansas Correctional Institution for Women for females entering the system. I am also recommending an amount of \$4,800 to be disbursed to the institutions to provide for the payment of medical fees related to physical examinations for certain classes of institutional employees.

I am recommending also amendment to the FY 1977 State Penitentiary budget to provide an additional \$16,000 for replacement of a worn laundry dryer and a \$3,000 increase in the transfer from the inmate canteen fund to the inmate benefit fund to permit the purchase of additional recreation equipment.

The remaining \$132,198 of the \$600,000 reserved pending review of the Touche Ross and Co. study is recommended for use in the implementation of my capital improvement program which follows.

Cost Summary—Operations, FY 1977

Reorganization:

(3) Deputy Secretary—unclassified, \$22,800-\$29,000	\$73,638	<i>all approved 12/26</i>
Reclassification of Director, Probation and Parole (Range 30 to 27)	(2,273)	
(1) Administrative Officer II—Range 24	13,065	
(1) Accountant II—Range 22	12,478	
(1) Personnel Officer I—Range 19	10,873	
(1) Secretary I—Range 10	7,313	
(2) Clerk III—Range 10	14,626	
* Includes Fringe Benefits—Subtotal		
\$129,720 *		

Operating expenses—related to new positions	\$16,000
Capital Outlay—related to new positions	9,425

Total Reorganization

Personnel:

Develop training program	\$40,000
Job analysis, salary/benefit program	50,000
Affirmative Action—recruiting	8,600

Total Personnel

Programming:

(7) Unit Team Counselors at KSIR	\$76,111
Vocational training—one additional program at KSP and one additional program at KSIR	40,000
Vocational training—license maintenance supervisors as vocational instructors	6,000

Total Programming

Medical Services:

(2) Graduate Nurse II—KSIR—Range 20	\$22,764 *
(1) Graduate Nurse II—KCIW—Range 20	11,382 *
Professional and Laboratory Fees	41,800

* Includes Fringe Benefits

Total Medical Services

Other:

Purchase of replacement laundry dryer—KSP	\$16,000
Transfer of \$3,000 from inmate canteen fund to inmate benefit fund—recreation equipment

Total Other

Total for FY 1977 Operations

\$467,802

CAPITAL IMPROVEMENT PROGRAM FOR CORRECTIONAL INSTITUTIONS

Many of our correctional facilities are very old and in need of substantial repair. In addition, populations at the State Penitentiary and the Kansas State Industrial Reformatory currently exceed population standards recommended for the most effective management of correctional institutions and crime rate statistics, public sentiment and recent legislative initiatives lead me to believe that populations will continue to increase over the next few years. As of January 30, 1976, there were 232 more persons in the institutions than in January 1975. To relieve existing problems and to prepare for anticipated increases, we must begin to plan and develop a new institution or initiate expansion of existing facilities. Additionally, we must undertake sufficient renovation of existing facilities to permit their use for an extended period of time.

As existing populations at the Kansas State Penitentiary and the Kansas State Industrial Reformatory are already at the maximum recommended for efficient management, it does not appear wise to expand these institutions thereby increasing operational problems. Confident that projections for increased populations will materialize and cognizant of existing facility problems, I am proposing a capital improvement program that visualizes renovation and addition to existing facilities and the construction of a new medium security facility.

To initiate the program, I am recommending a supplemental appropriation of \$92,000 for FY 1976. This appropriation will permit the master planning necessary to final programming and development of the cost related to major projects.

Major improvements to existing living units present a significant problem as renovation cannot be accomplished until adequate housing is provided for inmates currently utilizing cellhouses to be renovated. Therefore, I am proposing that additional outside dormitories be constructed at the Industrial Reformatory and the State Penitentiary to serve two purposes. Primarily, these dormitories are needed to permit segregation of minimum security individuals from the remainder of the population. The ability to segregate inmates serves to improve the attitude of the inmate and reduces the population in the living unit thus lessening management and security problems. Initiation of projects to construct outside dormitories at the Industrial Reformatory and the State Penitentiary would be implemented as soon as possible to provide for the housing of part of the population which will need to be moved from existing cellhouses in order to renovate.

Site selection, design and construction of a new facility is also recommended as soon as possible as the additional housing will be necessary to provide housing for the remaining inmates that will have to be removed from cellhouses to be renovated and to provide housing for new inmates expected into the system.

I am recommending that the new medium security institution be planned to house 400 inmates and that ancillary services be constructed to provide for such a population. I am, however, recommending that initial construction provide housing for only 200 inmates. Housing for the additional 200 inmates could then be added when populations warrant construction. In conjunction with my recommendation for construction of this new institution, I am recommending that the \$505,000 special revenue appropriation from the Correctional Industries Account for constructing a metal building at the State Penitentiary for bus and vehicle renovation be removed from Senate bill No. 797 and proposing this industry for the new facility.

As these dormitories are ready for occupancy, cellhouse renovation can begin. Since renovation will require the vacating of the cellhouses, renovation will be scheduled so as to renovate one unit each year until the total program is complete. As recommended the capital improvement program will require seven years to eight years to complete.

Certain improvements represent immediate needs and are improvements that can be implemented without extensive additional planning. I am recommend-

ing \$573,000 for FY 1977 to make these improvements. The projects and the estimated costs include:

(a) Construct a new infirmary at the Kansas State Penitentiary—\$300,000.

A recent inspection of the current facility by the Department of Health and Environment has revealed that the facility should be licensed as a hospital under K. S. A. 65-125 through K. S. A. 65-433. The inspection further revealed that in the present condition the facility does not comply with regulations promulgated under such statutes. In view of the present deteriorated condition of the facility and the amount of renovation that is necessary to meet the regulations, construction of a new infirmary is recommended.

(b) Construct a warehouse at the Toronto Honor Camp—\$28,000.

The Toronto Honor Camp has been established as a permanent camp with an expanded population and, presently, serves as the only camp. Supplies are stored in Topeka and must be frequently transported to the Toronto Camp. A metal building to provide adequate storage is recommended at the Toronto Camp.

(c) Renovate to improve the maximum security area at the Kansas State Industrial Reformatory—\$151,000.

At the present time, segregation facilities require the housing of orientation and disciplinary offenders together. The housing of offenders awaiting evaluation and problem offenders is a situation that must be corrected and I am recommending improvements to permit adequate segregation.

(d) Renovate infirmary at the Kansas State Industrial Reformatory—\$41,000.

These funds would provide needed renovations to the infirmary at KSIR including new wiring, plumbing, painting and plastering and

(e) Expand visiting area at Kansas State Penitentiary—\$40,000.

At the present time the visiting facilities at KSP are inadequate. The administration building is poorly arranged and the traffic pattern of incoming offenders, visitors for inmates, and administrative personnel is quite confused. These funds would be used to provide additional visiting space and eliminate security problems.

(f) Renovate commissary and library at the Kansas State Industrial Reformatory—\$13,000.

These funds are requested to provide additional library space and to improve the traffic patterns and service in the inmate commissary.

To initiate the capital improvement program I have recommended, I am proposing legislation that will reduce the current .5 mill levy for the State Institutions Building Fund for one year to .25 mills and proposing establishment of a one-year .25 mill levy for implementation of the corrections program. Such a .25 mill levy will provide an amount projected at \$1,010,788 for FY 1977 and \$971,151 for FY 1978. Of this \$1,010,788, \$440,502 will be required for FY 1977 improvements and \$569,986 will be carried forward to reduce State General Fund or General Revenue Sharing needs for FY 1978 program costs.

This method of funding will permit the evaluation of current use program needs prior to the establishment of any levy for corrections and will permit legislative and administrative flexibility to determine program and funding priorities on an annual basis.

While additional federal funds may become available for portions of the program, the availability of such funds cannot be anticipated until final planning is completed. Therefore, I have not anticipated or considered the use of any such federal funds in my projections.

Legislative Research Department
May 31, 1977

HISTORY OF RECENT BUDGET
RECOMMENDATIONS AND APPROPRIATIONS

- I. 1975 Session - Fiscal Year 1976 appropriation of \$20,000 from the State General Fund and \$180,000 federal funds (LEAA) for a facility, management, and program study.
- II. 1976 Session - See separate attachment.
- III. 1977 Session - Governor recommended the following improvements:
 - A. New facility - \$520,000 for preliminary and final planning for a new 400-bed medium security institution at Osawatomie; and
 - B. Industrial Reformatory - \$133,000 for preliminary and final planning of a new 100-bed minimum security facility.

GOVERNOR'S AMENDMENTS TO CORRECTIONAL BUDGETS -
AS PER MESSAGE TO LEGISLATURE DATED MARCH 16, 1976

Fiscal Years

	1976		1977	
	State General Fund	Special Funds	State General Fund	Special Funds
Department of Corrections:				
1. Planning and development for long-range building program	\$ 92,000	\$ --	\$ --	\$ --
2. Nine additional positions	--	--	155,145	--
3. Consultation on programs:				
a. Develop training program	--	--	40,000	--
b. Job analysis, salary/ benefit survey	--	--	50,000	--
c. Develop affirmative action/recruiting program	--	--	8,600	--
4. Warehouse at Toronto Honor Camp	--	--	28,000	--
Subtotal	<u>\$ 92,000</u>	<u>\$ --</u>	<u>\$ 281,745</u>	<u>\$ --</u>
Kansas State Penitentiary:				
1. Construct infirmary	\$ --	\$ --	\$ 10,198	\$ 289,802
2. Expansion of visiting room	--	--	40,000	--
3. Replace laundry equipment	--	--	16,000	--
4. Additional vocational training program	--	--	20,000	--

Atch. VIII

Attachment I I

Fiscal Years

	<u>1976</u>		<u>1977</u>	
	<u>State General Fund</u>	<u>Special Funds</u>	<u>State General Fund</u>	<u>Special Funds</u>
5. Medical examinations for employees	\$ --	\$ --	\$ 2,120	\$ --
6. Certification of employees as vocational instructors	--	--	3,000	--
Subtotal	<u>\$ --</u>	<u>\$ --</u>	<u>\$ 91,318</u>	<u>\$ 289,802</u>
 Industrial Reformatory:				
1. Two additional Graduate Nurses	\$ --	\$ --	\$ 22,764	\$ --
2. Seven Educational Counselors	--	--	76,111	--
3. Additional Vocational Training Program	--	--	20,000	--
4. Renovate maximum security cells	--	--	--	151,000
5. Renovate infirmary	--	--	41,000	--
6. Renovate commissary and library	--	--	13,000	--
7. Medical examinations for employees	--	--	1,820	--
8. Certification of employees and vocational instructors	--	--	3,000	--
Subtotal	<u>\$ --</u>	<u>\$ --</u>	<u>\$ 177,695</u>	<u>\$ 151,000</u>
 Reception Center:				
1. Increased medical expenses	\$ --	\$ --	\$ 30,000	\$ --
2. Medical examinations for employees	--	--	560	--
Subtotal	<u>\$ --</u>	<u>\$ --</u>	<u>\$ 30,560</u>	<u>\$ --</u>

Fiscal Years

	<u>1976</u>		<u>1977</u>	
	<u>State General Fund</u>	<u>Special Funds</u>	<u>State General Fund</u>	<u>Special Funds</u>
Correctional Institution for Women:				
1. Increased medical expenses	\$ --	\$ --	\$ 7,000	\$ --
2. One additional Graduate Nurse	--	--	11,382	--
3. Medical examinations for employees	--	--	300	--
Subtotal	<u>\$ --</u>	<u>\$ --</u>	<u>\$ 18,682</u>	<u>\$ --</u>
Grand Total	<u>\$ 92,000</u>	<u>\$ --</u>	<u>\$ 600,000</u>	<u>\$ 440,802</u>
	<hr/>		<hr/>	
	\$92,000		\$1,040,802	

Attachment IV
May 31, 1977

Legislative Research Department

A SUMMARY OF THE DEPARTMENT OF CORRECTIONS
EIGHT-YEAR MASTER PLAN

- I. Summary of Recommendations (I-1)
 - A. Operational Areas
 1. Organization (Section III)
 2. Personnel (Section IV)
 3. Management Information (Section V)
 4. Offender Programming (Section VI)
 5. Facilities (Section VII)
 6. Facilities Operation (Section VIII)
 7. Field Services (Section IX)
 - B. The plan submitted actually consists of three alternative plans.
 1. Primary Plan
 2. Secondary Plan A
 3. Secondary Plan B
 - C. Total costs are presented as one-time, Year I and Year VIII. (See page I-21)
 - D. Section II presents an overview of Kansas corrections history. Inmate profile and trend data are presented on pages II-3 to II-11).
- II. Organization
 - A. The recommendations reorganize the Central Office to include Divisions of Institutional, Field, and Management Services to provide improved staff support and career path opportunities for middle management.
 - B. General recommendations include:
 1. Modify state law to eliminate specific organizational structure;
 2. Create a new Civil Service classification of Deputy Secretary at salary range 37; and
 3. Hire additional staff within all Divisions.

Atch. IX

III. Personnel

- A. The goal is a personnel program which attracts, retains, and rewards a professionalized staff.
- B. General recommendations include:
 - 1. Initiate active recruiting program to achieve a more satisfactory mix in terms of age and minority representation;
 - 2. Develop employment tests which screen applicants on job-related characteristics;
 - 3. Improved training, performance evaluation, paths of career development, and an equitable compensation and benefit package; and
 - 4. Establishment of an adequate personnel data base.

IV. Management Information

- A. The goal is accurate, timely, and reliable offender information.
- B. General recommendations include:
 - 1. Standardization of recordkeeping procedures and forms at the institutions;
 - 2. Plan for a computerized system to permit interfacing with the Kansas Statewide Information System - (Reference the Report of the Offender-based State Corrections Information System (OBSCIS) Committee); and
 - 3. Develop and implement a Corrections Information System.

V. Offender Programming

- A. The goal is to provide offenders with improved work and social skills, work habits, education, and attitudes.
- B. General recommendations include:
 - 1. Revise legislation and procedures to minimize incarceration of unsentenced offenders, eliminate backlogging in the diagnostic process, and provide diagnostic services to female offenders;
 - 2. Operate a 50-bed mental health unit;
 - 3. Develop an expanded unit team capability;
 - 4. Provide for improved vocational training;
 - 5. Improved staffing of prison operations work assignments;

6. Individualized remedial academic programs; and
7. Expand the Work Release Program to 360 offenders per year.

VI. Facilities

A. Kansas State Penitentiary

1. Primary Plan

- a. Renovate cellhouses;
- b. Construct 50-bed outside dormitory;
- c. Construct new administration building;
- d. Construct a new gymnasium;
- e. Convert A & T unit to a chapel and infirmary;
- f. Construct additional industries facilities;
- g. Construct new power plant; and
- h. Reduce population to 450.

2. Secondary Plans

- a. The principal difference is attributed to higher populations - 600 for Plan A and 700 for Plan B;
- b. Both plans eliminate the gymnasium and administration building;
- c. Plan B requires continued use of A & T Building;
- d. Both plans call for less extensive cellhouse renovation; and
- e. Both plans eliminate new power plant.

B. Industrial Reformatory

1. Primary Plan

- a. Renovation of four cellhouses to accommodate 100 inmates each;
- b. Provide new classroom and vocational space;
- c. Construct a new outside industries building;
- d. Renovate the health care facility;
- e. Upgrade kitchen/dining facilities;
- f. Construct gymnasium addition;
- g. Convert old storehouse to a chapel; and
- h. Reduce population to 450.

2. Secondary Plans

- a. Plan A provides for 600 inmates and Plan B 700 inmates;
- b. Severely reduces cellhouse renovation; and
- c. Reduces or eliminates other renovations.

C. Correctional Institution for Women

1. Primary Plan

- a. Upgrade existing inmate housing;
- b. Construct a new program-educational building;
- c. Upgrade administration building; and
- d. Maximum planned capacity of 100.

2. Secondary Plans

- a. Reduce inmate housing improvements; and
- b. Reduce or eliminate other renovations.

D. Reception and Diagnostic Center

1. Primary Plan

- a. Construct a new center housing 200 offenders of both sexes; and
- b. Construct a 50-bed mental health unit.

2. Secondary Plans

- a. Both Secondary Plans A & B are identical to the Primary Plan.

E. New Institution

1. Primary Plan - Construct a new facility for housing 400 inmates.

2. Secondary Plan calls for construction of support facilities to accommodate 400 inmates but limit phase I to housing units for 200 inmates.

F. Honor Camp

1. Primary Plan

- a. Construct a new inmate housing unit at Toronto; and
- b. Develop a new camp in Western Kansas to accommodate 50 inmates.

2. Both secondary plans are identical to the primary plan.

VII. Facilities Operation

- A. Improved physical and mental health care;
- B. Improve health care facilities;
- C. Employ additional health care personnel;
- D. Implement use of a standard 90-day food menu;
- E. Improved training of food service personnel; and
- F. Implement consistent operating policies and procedures at all institutions.

VIII. Field Services

- A. Define specifically the activities and techniques to be used by probation and parole officers;
- B. Define measures of effectiveness;
- C. Consolidate probation function; and
- D. Improve staff training.